

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACHARY H. FRENCH,

Defendant.

Case No. 12-cr-40104-JPG-3

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Zachary H. French's motion for a free copy of his docket sheet (Doc. 70). In support of his request, he states that he is indigent but offers no proof of his financial condition.

Defendants have no constitutional right to a complimentary copy of any document related to their files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

French has not satisfied any of the three requirements for receiving copies free of charge.

Accordingly, the Court **DENIES** his motion for a free copy of his docket sheet (Doc. 70) **without prejudice** to another motion with the necessary support.

IT IS SO ORDERED.

DATED: July 31, 2013

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE